

REMARKS

All page numbers and line numbers refer to the original pre-amended Specification.

Specification

The trademarks ARICEPT, EXELON, SYNAPTON, REMINYL and PROMEN has been deleted from the specification pages 7, 13, 14 and 22 in response to Examiner's comments

Claim Rejection -35 USC §112

The trade names ARICEPT and EXELON have been deleted from claim 9-11 and 14-16 in accordance with Examiners' comments.

Claim Rejections -35 USC §103

Claims 1-11 are rejected under 35§103(a) as being unpatentable over Applicant's admission in the "Background of the Invention".

Applicants inadvertently included material describing their own invention the "Background of the Invention" section, for example page 2, lines 15-20.

Applicants wish to remedy this error by amending the Specification so that the following paragraphs are deleted from the "Background of the Invention" section:

- page 1, lines 30-34;
- page 2, Table 1;
- page 2, lines 3-9;
- page 2, lines 10-14;
- page 2, line 15-21.

Applicants further amend the specification by adding the aforementioned deleted paragraphs and Table to the "Summary of the Invention" section starting on line 7.

The amended Specification properly removes all inventive material from the "Background of the Invention" section in such a way that the Specification no longer contains "admissions" which render applicants claims obvious.

Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Albaugh et al (U.S Patent No. 6,143,760) in view of Burns et al (1999).

US 6,143,760 (Albaugh et al) discloses the use of substituted 4-oxo-naphthyridine-3-carboxamides which selectively bind to GABA_A receptors in the treatment of anxiety and related disorders.

Burns, A. et al (Dement Geriatric Cogn Disord 1999; 10:237-244) have disclosed the acetylcholinestase inhibitor donepezil in the treatment of cognitive disorders among patients suffering with Alzheimer's disease.

Neither of the above mentioned references teach or suggest the combination of a GABA receptor antagonist with an acetylcholinesterase inhibitor.

It is not readily apparent to applicant that there exists any incentive to combine the teachings of these two references. Absent such an incentive the references are not combinable.

The present inventors have quantitatively claimed GABA inverse agonist within unexpected functional potency and efficacy limits. These claimed limitations serve to differentiate the claimed invention over the prior art cited and render the present invention inobvious over Albaugh et al.

Conclusion

In view of the foregoing, applicant believes that this application is in condition for allowance and respectfully requests that the Examiner withdraw rejections.

Please charge Deposit Account No. 16-1445 the appropriate fee.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Stuart P. Suskind', written over a horizontal line.

Stuart P. Suskind
Reg. No. 40,192

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Pfizer Inc.
Patent Department, 5th Floor
150 East 42nd Street
New York, NY 10017-5755
(212) 733-7122